
HOUSE BILL 1336

State of Washington 60th Legislature 2007 Regular Session

By Representatives Morris and B. Sullivan

Read first time 01/17/2007. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to organisms made by human innovation; adding new
2 sections to chapter 43.350 RCW; adding a new section to chapter 43.23
3 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** Washington is a leader in developing
6 innovative bioproducts for human therapy, animal therapy, and plant
7 life. The state of Washington would like to encourage further
8 development of plant, animal, and human therapy research and innovation
9 while still providing predictability and rules for such research.
10 Therefore, it is the intent of the legislature to develop guidelines
11 for plant, animal, and human therapy research to be conducted in the
12 state to ensure that the state maintains its position as a leader in
13 this area and continues to spur further research and innovation.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.350 RCW
15 to read as follows:

- 16 (1) The policy of the state of Washington shall be as follows:
17 (a) That research involving the derivation and use of human
18 embryonic stem cells, human embryonic germ cells, and human adult stem

1 cells from any source, including somatic cell nuclear transplantation,
2 shall be permitted after full consideration of the ethical and medical
3 implications of this research.

4 (b) That research involving the derivation and use of human
5 embryonic stem cells, human embryonic germ cells, and human adult stem
6 cells, including somatic cell nuclear transplantation, shall be
7 reviewed by the human stem cell research advisory committee, created in
8 section 3 of this act.

9 (2)(a) A physician, surgeon, or other health care provider
10 delivering fertility treatment shall provide his or her patient with
11 timely, relevant, and appropriate information to allow the individual
12 to make an informed and voluntary choice regarding the disposition of
13 any human embryos remaining following the fertility treatment.

14 (b) An individual to whom information is provided under (a) of this
15 subsection must be presented with the option of storing any unused
16 embryos, donating them to another individual, discarding the embryos,
17 or donating the remaining embryos for research.

18 (c) An individual who elects to donate embryos remaining after
19 fertility treatments for research must provide written consent.

20 (3) A person may not knowingly, for valuable consideration,
21 purchase or sell embryonic or cadaveric fetal tissue for research
22 purposes under this chapter.

23 (4) For purposes of this section, valuable consideration does not
24 include reasonable payment for the removal, processing, disposal,
25 preservation, quality control, storage, transplantation, or
26 implantation of a part.

27 (5) Embryonic or cadaveric fetal tissue may be donated for research
28 purposes under this chapter.

29 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.350 RCW
30 to read as follows:

31 (1) The human stem cell research advisory committee is created and
32 consists of the following members:

- 33 (a) The governor or the governor's designee;
- 34 (b) A representative from the University of Washington;
- 35 (c) A representative from Washington State University;
- 36 (d) The attorney general or an assistant attorney general with
37 relevant expertise; and

1 (e) A representative from the Washington state medical quality
2 assurance commission.

3 (2) The human stem cell research advisory committee shall develop
4 scientific, ethical, and legal guidelines for research involving the
5 derivation or use of human adult stem cells, human embryonic germ
6 cells, and human embryonic stem cells in Washington. The guidelines
7 must be submitted to the authority by July 1, 2008. The guidelines
8 must inform potential researchers of specific scientific, ethical, and
9 legal considerations that must be examined prior to a research project
10 being approved by the human stem cell research advisory committee.

11 (3) The human stem cell research advisory committee shall review
12 all stem cell research proposals prior to commencement of such research
13 in the state. After full consideration of the ethical and medical
14 implications of the research, the human stem cell research advisory
15 committee shall determine, by a majority vote, whether the research
16 project may go forward.

17 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.23 RCW
18 to read as follows:

19 (1) The department shall adopt rules that establish appropriate
20 management practices for coexistence of plant-based life sciences in
21 this state. In adopting these rules, the department shall, at a
22 minimum, consider the following issues:

23 (a) The possible spread of genetically engineered organisms by
24 pollen drift;

25 (b) The need for isolation distances to prevent pollen drift where
26 possible; and

27 (c) The possible financial liability for farmers, patent holders,
28 and manufacturers of genetically engineered organism products.

29 (2) In adopting these rules, the department shall consider best
30 available science.

31 (3) The imposition of controls on genetically engineered organisms
32 is of statewide significance and is preempted by the state. No city or
33 town may enact, maintain, or enforce ordinances or other provisions
34 that regulate the registration, labeling, sale, storage,
35 transportation, distribution, notification of use, or use of

1 genetically engineered organisms.

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